IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4280 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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SARABHAI CHEMICALS

Versus

VIRAMBHAI BABUBHAI PATEL

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Appearance:

NANAVATI ASSOCIATES for Petitioner

MR RAMNANDAN SINGH for Respondent No. 1

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CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 19/10/2000

ORAL JUDGEMENT

#. Rule. The learned counsel appearing for the parties waive service of rule.

#. There is consensus that the respondent is Virabhai Babubhai Patel and petition stands corrected accordingly.

#. By consent, the impugned award and order is modified to the extent that the respondent shall be reinstated with 40% of backwages and continuity of service and all other admissible allowances and benefits, as if, he continued in the service during the pendency of the reference. The petitioner shall reinstate the respondent from 1.11.2000 and full wages shall be paid to him with effect from 1.6.2000. The amount of arrears of wages and backwages according to this order shall be paid in 3 equal monthly installments and the same shall be paid by cheques bearing appropriate dates i.e. 10.11.2000, 10.12.2000 and 10.1.2001. With this consent order, the impugned order stands modified and petition is partly allowed. Rule is made absolute accordingly with no order as to costs.

(D. H. WAGHELA, J. )

kks